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THE SITUATION IN THE OCCUPIED
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SECURITY COUNCIL
Forty-ninth year

Letter dated 4 October 1994 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a copy of the letter that I have today forwarded to the President of the Security Council (see annex).

I kindly request your assistance in circulating the present letter and its annex as a document of the General Assembly, under agenda item 148, and of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

ANNEX

Letter dated 4 October 1994 from the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council

In accordance with instructions from my Government, I must express the deep indignation of the Republic of Croatia with regard to the report of the Co-Chairmen of the Steering Committee of the International Conference on the former Yugoslavia on their Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro), distributed by the Secretary-General in his letter of 3 October 1994 (S/1994/1124).

Without entering into a debate on whether there is de facto sufficient ground to declare that the Federal Republic of Yugoslavia (Serbia and Montenegro) is meeting its commitment to close its border with the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces based on a report of only 93 members of the "Mission", the Republic of Croatia is shocked by paragraph 3 of the annex to document S/1994/1124. The Co-Chairmen submit that "... As far as transit traffic to the Republic of Croatia is concerned, agreements have been made covering customs documentation and the sealing of load-carrying vehicles to reduce the obvious risk of a diversion of supplies to the Bosnian Serbs".

There is no doubt that the quoted part of the report does not relate to humanitarian supplies distributed by international humanitarian organizations or agencies. Had that been the case, those shipments would not have been a subject of interest to the Mission, since the Belgrade authorities never indicated their willingness to deprive their Bosnian and Croatian proxies of food and medical supplies. More important, the Mission is to monitor supplies other than humanitarian supplies going to the Bosnian Serbs, and in particular strategic goods.

In the view of my Government, this action represents a clear and blatant violation of Security Council resolution 820 (1993) of 17 April 1993 in which the Council decided that "import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas in the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with exception of essential humanitarian supplies, including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina, respectively".

The shipments that the Mission is monitoring, and that are, according to the report, destined "as transit traffic to the Republic of Croatia", do not have the required authorization of the Croatian Government to be imported into the territory of the Republic of Croatia. Further, the Government of the Republic of Bosnia and Herzegovina has informed us that it has not issued proper authorization for their transshipment through their territory "controlled by Bosnian Serb forces".

The Government of the Republic of Croatia is outraged by the fact that the Mission of the International Conference on the former Yugoslavia, acting under the mandate given by the Security Council, is not only tacitly allowing the constant flow of supplies to Belgrade proxies in the occupied territories of the Republic of Croatia, but is "making agreements" to facilitate violation of Council resolutions. Such action is seriously jeopardizing the sovereignty of the Republic of Croatia over its own territory, and my Government cannot tolerate it.

This biased and illegal action of the International Conference on the former Yugoslavia does not contribute to the overall peace process and the stability in the region. Further, this action will not be helpful to the Croatian Parliament when it debates the future of the United Nations presence on Croatian territory within 100 days. Our deliberations shall be influenced by the actions of the international community, and in particular the Contact Group, with regard to the sovereignty and territorial integrity of the Republic of Croatia, and the restoration of the legitimate authority over its entire territory.

Croatia demands that the Security Council act immediately in respect of the obvious violation of resolution 820 (1993) by the monitor Mission of the International Conference on the former Yugoslavia, consistent with its previous decisions.

(Signed) Mario NOBILO
Permanent Representative